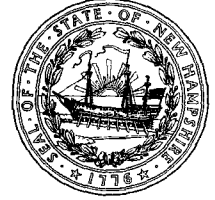




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
WET 06-069**

July 7, 2006

Ronald Hanson
112 Chubbuck St
Quincy, MA 02169

RE: DES Wetlands File #2005-01837, 7 Fox Rd, Middleton

Dear Mr. Hanson:

The Department of Environmental Services ("DES") has reviewed materials submitted including the findings of a field inspection by DES staff conducted on the above referenced property, more specifically referenced on Town of Middleton Tax Map 5 as Lot 74 (the "Property"). The purpose of the review was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

The review has documented the following deficiencies:

1. The lakeward retaining wall was constructed without a permit during the 1980's.
2. The existing 4 ft x 24 ft seasonal pier was installed without a permit, encroaches on the 20 ft setback to property lines required per RSA 482-A, and has not been removed as required during the non-boating season.

In response, you are requested to take the following actions:

1. Relocate the 4 ft x 24 ft pier to a location that is at least 20 ft from the abutting property lines and the extension of those lines over the water.
2. Submit photographs to the Wetlands Bureau documenting that the dock has been relocated by July 20, 2006.
3. Submit detailed as built plans prepared by a licensed surveyor showing the location of both walls and the relocated pier relative to the property lines and the normal high waterline by October 1, 2006.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or


criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

D. Forst, Shoreland Section Supervisor
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact D. Forst at (603) 271-2147.

Sincerely,


Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7000167000005854904

cc: Rene Pelletier, Asst. Director, Water Division
Gretchen R. Hamel, Administrator, DES Legal Unit
Middleton Conservation Commission
Middleton Board of Selectmen
USACOE